

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Tomas Alberto Rodriguez,  
(CIS A# 30 153 978)

08CV00142

Plaintiff,

ECF CASE

-vs-

Andrea Quarantillo,  
District Director  
Citizenship and  
Immigration Services,

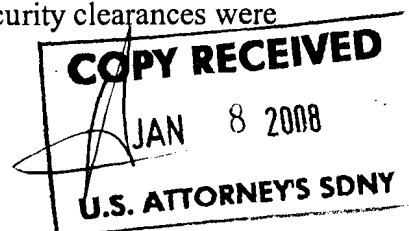
COMPLAINT FOR DECLARATORY  
JUDGMENT OF NATURALIZATION

UNDER 8 USC 1147(b)

Defendant.  
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Plaintiff, Tomas Alberto Rodriguez, complaining of Defendant, alleges as follows:

1. Plaintiff is an individual and resident of the United States who resides at 178 Avenue D, Apt. 5H, New York, NY 10009, within the jurisdiction of this Court. Plaintiff's claim to naturalization arises under 8 USC 1447(b).
2. Andrea Quarantillo, the Defendant herein, is the District Director of the Citizenship and Immigration Services (CIS) and is sued herein in her official capacity. Defendant is responsible for the grant or denial of naturalization applications filed within the New York District of the CIS pursuant 8 USC 1421, 8 USC 1427, 8 CFR 103.1(g) (2), 8 CFR 310.2 and 8CFR 316.3.
3. The Court has jurisdiction of this action pursuant to 8 USC 1447 (b) and 28 USC 2201.
4. On or about October 25, 2005, Plaintiff submitted an application for naturalization to the Defendant.
5. On or about March 16, 2006, the Defendant's designated agent interviewed Plaintiff on his application in the New York City Office.
6. At his interview, Plaintiff passed all portions of the respective requirements. Plaintiff was advised that once security clearances were



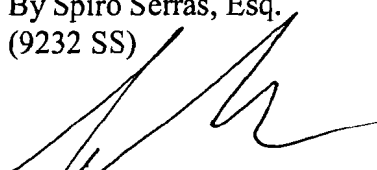
received and file reviewed by a supervisor, his application would be adjudicated. Defendant has failed to adjudicate the application.

7. More than 120 days have passed since the initial interview and the Defendant has made no decision on Plaintiff's application.
8. The Defendant's failure to make a determination on Plaintiff's application within the 120-day statutory period allows Plaintiff to bring the matter to this Court for a hearing pursuant to 8 USC 1447(b).
9. Plaintiff desires a judicial determination of his naturalization application and a declaration that he is entitled to be naturalized as a citizen of the United States.

WHEREFORE, Plaintiff prays that:

1. The Court will hear Plaintiff's case and render a declaratory judgment that he is entitled to be naturalized;
2. The Court grants such further relief as may be just, lawful, and equitable; and
3. Grant attorney's fees and costs of court.

Respectfully submitted,  
By Spiro Serras, Esq.  
(9232 SS)



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Dated: December 28, 2007